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PART I

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Kerala Gazette No. 13 dated 29th March 1983.
PART I Section i

GOVERNMENT OF KERALA

Law (Legislation-Publication) Department

NOTIFICATION

No. 16255/Leg. Pbn. 2/82/Law. *Dated, Trivandrum, 27th November, 1982.*

The following Act of Parliament, published in a Gazette of India Extraordinary, Part II—Section I, dated the 23rd August, 1982, is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on the 21st August, 1982.

By order of the Governor.

K. VISWANATHAN NAIR,

Special Secretary (Law).

THE METRO RAILWAYS (CONSTRUCTION OF WORKS) AMENDMENT ACT, 1982
(Central Act No. 41 of 1982)

AN
ACT

to amend the Metro Railways (Construction of Works) Act, 1978.

BE it enacted by Parliament in the Thirty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Metro Railways (Construction of Works) Amendment Act, 1982.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Substitution of "arbitrator" by "appellate authority".*—Throughout the Metro Railways (Construction of Works) Act, 1978 (33 of 1978) (hereinafter referred to as the principal Act), for the word "arbitrator", wherever it occurs, the words "appellate authority" shall be substituted.

3. *Amendment of section 2.*—In sub-section (1) of section 2 of the principal Act, for clause (e), the following clause shall be substituted, namely:—

'(e) "competent authority" means the competent authority appointed under section 16;'.

4. *Amendment of section 9.*—In section 9 of the principal Act,—

(a) in sub-section (1),—

(i) for the words, brackets and figures "date of publication of the notification under sub-section (1) of section 7", the words, brackets and figures "date of publication under sub-section (3) of section 7 of the substance of the notification under sub-section (1) of that section" shall be substituted;

(ii) the following *Explanation* shall be inserted at the end, namely:—

"*Explanation.*—For the purposes of this sub-section, where the substance of the notification under sub-section (1) of section 7 is published on different dates at different places, the last of such dates shall be deemed to be the date on which substance of the notification has been published.";

(b) in sub-section (2), after the words "either in person or", the words "by an agent or" shall be inserted.

5. *Amendment of section 11.*—In sub-section (1) of section 11 of the principal Act, for the words, figures and brackets "Subject to the provisions of section 14, where any land, building, street, road or passage has vested under sub-section (2) of section 10", the words, brackets and figures "Where any land, building, street, road or passage has vested under sub-section (2) of section 10 and the amount determined by the competent authority under section 13 with respect to such land, building, street, road or passage has been deposited, under sub-section (1) of section 14, with the competent authority by the Central Government" shall be substituted.

6. *Amendment of section 13.*—In section 13 of the principal Act,—

(a) in sub-section (1), for the words "by the competent authority", the words "by an order of the competent authority" shall be substituted;

(b) after sub-section (2), the following sub-sections shall be inserted, namely:—

"(2A) Before proceeding to determine the amount under sub-section (1) or sub-section (2), the competent authority shall give a public notice published in the prescribed manner

inviting claims from all persons interested in the land, building, street, road or passage, or the right of user or the right in the nature of easement therein to be acquired.

(2B) Such notice shall state the particulars of the land, building, street, road or passage acquired, or the right of user or the right in the nature of easement therein acquired and shall require all persons interested in such land, building, street, road or passage or right of user or right in the nature of easement therein, to appear in person, or by an agent or by a legal practitioner referred to in sub-section (2) of section 9, before the competent authority, at a time and place therein mentioned (such time not being earlier than fifteen days after the date of the publication of the notice) and to state the nature of their respective interests in such land, bilding, street, road or passage or right of user or right in the nature of easement therein.";

(c) in sub-section (3), for the words "on an application by either of the parties, to the arbitrator, be determined by the arbitrator", the words "on an appeal preferred by either of the parties to the appellate authority, within a period of sixty days from the date of the order appealed against, be determined by an order of the appellate authority" shall be substituted.

Amendment of section 14.—In section 14 of the principal Act,—

(a) in sub-section (1),—

(i) the words "by the competent authority" shall be omitted;

(ii) for the words "before taking possession of the land, building, street, road or passage", the words "within such time as may be fixed by that authority" shall be substituted;

(b) to sub-section (2), the following proviso shall be added, namely:—

"Provided that where an appeal has been or is likely to be preferred under section 13 against the order by which such amount was determined and the competent authority is satisfied for reasons to be recorded in writing that it is necessary or expedient so to do, he may by order in writing—

(a) require the person claiming payment of such amount to furnish as a condition of receiving such payment such security as may be specified in the order; or

(b) if such person fails to furnish such security, withhold the payment of the whole or any part of such amount for such period as may be specified in the order.".

8. *Insertion of new section 15A.*—After section 15 of the principal Act, the following section shall be inserted, namely: —

"15A. *Power to inspect property under acquisition.*—The competent authority may, with or without assistants or workmen, enter into or upon any land, building, street, road or passage, for the purpose of performing his functions under this Act and make such enquiry, inspection, measurement and take such photographs and prepare such memorandum thereof as he may consider necessary:

Provided that:—

(i) no such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to—

(a) the owner of, or the person interested in, the land, building, street, road or passage; or

(b) the person whose right of user in or right in the nature of easement on the land, building, street, road or passage is acquired; or

(c) the person who sustains any loss or damage to the land, building, street, road or passage in consequence of any direction given by the Central Government or any power exercised by the metro railway administration under this Act;

(ii) sufficient opportunity shall in every instance be given to enable women, if any, to withdraw from such land, building, street, road or passage;

(iii) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usage of the person to whom notice as aforesaid is given;

(iv) the competent authority making the entry shall cause as little damage or injury as possible, to the land, building, street, road or passage.

9. *Substitution of section 16.*—For section 16 of the principal Act, the following section shall be substituted, namely:—

'16. *Competent authority and appellate authority.*—(1) For every metro railway, the Central Government shall, for the purposes of this Act, by notification in the Official Gazette, appoint—

(i) a competent authority; and

(ii) an appellate authority,

for such area as may be specified in the notification.

(2) A person shall not be qualified for appointment as a competent authority unless he is holding, or has held, a judicial office, not lower in rank than that of a subordinate judge.

(3) A person shall not be qualified for appointment as an appellate authority unless he is holding, or has held, a judicial office, not lower in rank than that of a district judge.

Explanation.—For the purpose of this section,—

(a) "district judge" includes an additional district judge;

(b) "subordinate judge" means subordinate judge in the judicial service of West Bengal, and includes any judicial officer (by whatever name called) of an equivalent rank in the judicial service of any other State.'.

10. *Insertion of new sections 16A, 16B and 16C.*—After section 16 of the principal Act, the following sections shall be inserted, namely:—

"16A. *Powers of the appellate authority.*—(1) The appellate authority may admit an appeal filed after the expiry of the period referred to in section 13 or section 22 or section 25, as the case may be, if he is satisfied that there was sufficient cause for not presenting it within that period.

(2) For the disposal of an appeal under this Act, the appellate authority shall have the same powers (including the powers under sections 15 and 15A), and shall, subject to the provisions of this section, perform as nearly as may be the same duties as are conferred or imposed by this Act on the competent authority in respect of the matters under Chapter III and Chapter IV.

(3) The appellate authority may, if he thinks it expedient so to do, call in his aid one or more assessors and hear the appeal wholly or partly with the aid of such assessors.

(4) For the purpose of determining the amount under any appeal before him, the appellate authority may, after making such further enquiry or after taking such additional evidence, as may be necessary, pass such order as he thinks fit, determining the amount, by confirming, modifying or annulling the order appealed against.

(5) An order of the appellate authority determining the amount under this Act shall be final.

16B. *Competent authority, etc., to have certain inherent powers.*—The competent authority and the appellate authority may exercise powers of the nature referred to in section 151 of the Code of Civil Procedure, 1908 (5 of 1908) to the same extent and for the same purposes as such powers are exercisable by civil courts.

16C. *Enforcement of the orders of the competent authority and appellate authority.*—(1) Any order made by the competent authority or the appellate authority determining any amount payable under this Act may be enforced in the same manner as if such order were a decree made by a civil court in a suit pending therein, and it shall be lawfull for such authority to send, in the case of his inability to execute, such order, to the principal civil court of original jurisdiction within the local limits of whose jurisdiction the order was made.

(2) Where any order under sub-section (1) is required to be enforced by the principal civil court of original jurisdicrion, a certified copy of the order shall be produced to the proper officer of the court required to enforce the order.

(3) The production of such certified copy shall be sufficient evidence of the order.

(4) Upon the production of such certified copy, the principal civil court of original jurisdiction shall take the requisite steps for enforcing the order, in the same manner as if it had been a decree made by itself.".

11. *Amendment of section 19.*—In section 19 of the principal Act, in sub-section (1),—

(a) in the opening portion, for the words "constructing any metro railway or any other work connected therewith", the words and figures "performing its functions under section 18" shall be substituted;

(b) in clause (c), for the words "to open or divert", the words "to open, divert or temporarily close" shall be substituted.

12. *Amendment of section 21.*—In section 21 of the principal Act, in sub-section (1), in clause (a), for the words "ten metres" the words "twenty metres" shall be substituted.

13. *Amendment of section 22.*—In section 22 of the principal Act,—

(a) in sub-section (1), for the words "by the competent authority", the words "by an order of the competent authority" shall be substituted;

(b) in sub-section (2), for the words "on an application by either of the parties to the arbitrator, be determined by the arbitrator", the words "on an appeal preferred hy either of the parties, within sixty days from the date of the order of the competent authority, to the appellate authority, be determined by an order of the appellate authority" shall be substituted.

14. *Amendment of section 25.*—In section 25 of the principal Act,—

(a) in sub-section (2), for the words "on application by either of the parties to the arbitrator, be determined by the arbitrator", the words "on an appeal preferred by either of the parties, within sixty days from the date of the order of the competent authority, to the appellate authority, be determined by an order of the appellate authority" shall be substituted.

(b) after sub-section (3), the following sub-section shall be inserted, namely:—

"(4) The procedure and the manner of deposit and payment of the amount payable for acquiring any land, building, street, road or passage or any right of user in or any right in the nature of easement on any land, building, street, road or passage shall be followed in the case of the procedure and the manner of deposit and payment of the amount determined by the competent authority or the appellate authority under this section.".

15. *Amendment of section 36.*—In section 36 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

"(2A) Without prejudice to the provisions of sub-section (1), if any person fails to vacate temporarily any building together with any movable property or animal that may be in his custody, control or possession in pursuance of any direction contained in any notification issued under section 21 within the period specified

in the notification, the competent authority may enforce the direction of temporary evacuation physically by taking such police help, as may be considered (2) by him necessary, and for this purpose the provisions of sub-section (2) of section 11 shall, as far as may be, apply.".

16. *Amendment of the Schedule.*—In the Schedule to the principal Act, the word and figures "SCALE:—1:50000" shall be omitted.

17. *Transfer of applications pending before arbitrator under the principal Act.*—Every application under sub-section (3) of section 13 of the principal Act as it stood immediately before the commencement of this Act, which is pending before an arbitrator referred to therein shall, on such commencement, stand transferred to the appellate authority to whom an appeal could have been preferred under the principal Act as amended by this Act if the amount to which such application relates had been determined by the competent authority under sub-section (1) or sub-section (2) of the said section after the commencement of this Act, and such appellate authority may deal with such application from the stage at which it stood transferred to it as if it were an appeal pending with him:

Provided that either of the parties to the case may demand that before proceeding further, the previous proceeding or any part thereof be reopened or that he be re-heard.

Kerala Gazette No. 13 dated 29th March 1983.

PART I

Section i

GOVERNMENT OF KERALA

Law (Legislation-Publication) Department

NOTIFICATION

No. 17279/Leg. Pbn. 2/82/Law. *Dated, Trivandrum, 29th November 1982.*

The following Act of Parliament, published in a Gazette of India Extraordinary, Part II—Section 1, dated the 9th August, 1982, is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on the 7th August, 1982.

By order of the Governor,

K. VISWANATHAN NAIR,
Special Secretary (Law).

THE MONOPOLIES AND RESTRICTIVE TRADE PRACTICES (AMENDMENT) ACT, 1982
CENTRAL ACT No. 30 OF 1982

AN

ACT

further to amend the Monopolies and Restrictive Trade Practices Act, 1969.

BE it enacted by Parliament in the Thirty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Monopolies and Restrictive Trade Practices (Amendment) Act, 1982.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*—In section 2 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969) (hereinafter referred to as the principal Act),—

(a) in clause (d),—

(i) for the portion beginning with the words '"dominant undertaking" means' and ending with the words "rendered in India or any substantial part thereof:", the following shall be substituted, namely:—

'"dominant undertaking" means—

(i) an undertaking which has all the following three features, that is to say,—

(ai) it is an undertaking within the purview of the Industries Act;

(bi) it has a licensed capacity for the production of goods of any description; and

(ci) its licensed capacity for the production of such goods or the aggregate of its licensed capacity and of the licensed capacity of inter-connected undertakings, for the production of such goods is not less than one-fourth of the total installed capacity in India for the production of such goods; or

(ii) an undertaking which has all the following three features, that is to say,—

(aii) it is an undertaking within the purview of the Industries Act;

(bii) it, by itself or along with inter-connected undertakings produces, supplies, distributes or otherwise controls not less than one-fourth of the total goods of any description that are produced, supplied or distributed in India or any substantial part thereof; and

(cii) it has no licensed capacity for the production of such goods; or

(iii) an undertaking which has both the following features, that is to say,—

(aiii) it is not an undertaking within the purview of the Industries Act; and

(biii) it, by itself or along with inter-connected undertakings produces, supplies, distributes or otherwise controls not less than one-fourth of the total goods of any description that are produced, supplied or distributed in India or any substantial part thereof; or

(iv) an undertaking which provides or otherwise controls not less than one-fourth of any services that are rendered in India or any substantial part thereof:';

(ii) in the proviso, for the words "this clause", the words, brackets and figures "sub-clauses (ii) and (iii) of this clause" shall be substituted;

(iii) in *Explanation I*, for the words "not less than one-third of", the words "the licensed capacity of inter-connected undertakings for the production of any goods is not less than one-fourth of the installed capacity for the production of such goods or not less than one-fourth of" shall be substituted, and for the words "any service", the words "any service, as the case may be," shall be substituted;

(iv) for *Explanation III*, the following *Explanation* shall be substituted, namely:—

"*Explanation III*.—The question as to whether any undertaking, either by itself or along with inter-connected undertakings, produces, supplies, distributes or controls one-fourth of any goods or provides or controls one-fourth of any services may be determined according to any of the following criteria, namely, value, cost, price, quantity or capacity of the goods or services.";

(v) in *Explanation IV*, for the words "In determining", the words, brackets and figures "In determining with reference to the features specified in sub-clause (ii), (iii) or (iv), as the case may be," shall be substituted;

(b) after clause (e), the following clause shall be inserted, namely:—

'(ee) "goods of any description" in relation to an undertaking within the purview of the Industries Act, means any article which falls under an item in the First Schedule to that Act;';

(c) after clause (f), the following clauses shall be inserted, namely:—

'(ff) "Industries Act" means the Industries (Development and Regulation) Act, 1951 (65 of 1951), and includes any rules, notifications or orders thereunder;

(fff) "installed capacity" means installed capacity as recognised under the Industries Act or any returns thereunder;';

(d) after clause (g), the following clause shall be inserted, namely:—

'(gg) "licensed capacity", in relation to goods of any description and with respect to an undertaking within the purview of the Industries Act, means the licensed or productive capacity of such undertaking in relation to such goods, in accordance with the certificate of registration, licence, letter of intent or permission granted to it under the Industries Act and includes any increase in such capacity as may be approved by Government under that Act;';

(e) after clause (l), the following clause shall be inserted, namely:—

'(ll) "produce" includes manufacture and all its grammatical variations and cognate expressions shall be construed accordingly:';

(f) after clause (v), the following clause shall be inserted, namely:—

'(vv) "undertaking within the purview of the Industries Act" means an undertaking pertaining to a scheduled industry as defined in that Act;'.

3. *Amendment of section 21.*—In section 21 of the principal Act,—

(a) in sub-section (2), for the *Explanation*, the following *Explanation* shall be substituted, namely:—

"*Explanation.*—For the purposes of this section, an undertaking shall be deemed to expand substantially in any manner if, as a result of such expansion,—

(a) in the case of an undertaking within the purview of the Industries Act and having a licensed capacity for the production of goods, of any description, there would be an increase of such licensed capacity by not less than twenty-five per cent thereof;

(b) in the case of an undertaking to which clause (b) of section 20 applies but to which clause (a) of this *Explanataion* does not apply, the production, marketing, supply, distribution or control of any goods or the provision of any services would increase by not less than twenty-five per cent of the goods produced, marketed, supplied, distributed or controlled, or services provided, by it immediately before such expansion;

(b) for the increase in the production of any goods or the provision of any services which are meant exclusively for export outside India; or

(c) which relates to an undertaking established or proposed to be established in a free trade zone.

Explanation.—In this sub-section, "free trade zone" has the same meaning as in clause (i) of the *Explanation* to section 10A of the Income-tax Act, 1961 (42 of 1961).

(2) Every notification issued under sub-section (1) shall have effect for such period not exceeding five years at a time as may be specified in the notification.

(3) Every notification issued under sub-section (1) shall be laid, as soon as may be after it is issued, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or both Houses agree that the notification should not be made, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.'.

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GOVERNMENT OF KERALA

Health (D) Department

NOTIFICATION

G.O. (P) No. 32/83/HD. *Dated, Trivandrum, 9th February* 1983.

S.R.O. No. 391/83.—In exercise of the powers conferred by sub-section (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), read with section 3 thereof, the Government of Kerala hereby make the following rules further to amend the Special Rules for the Kerala Indigenous Medicine Subordinate Service issued under Notification G.O. (P) No. 9/Public (Rules) Department dated the 17th January, 1967, namely:—

RULES

1. *Short title and commencement.*—(a) These rules may be called the Special Rules for the Kerala Indigenous Medicine Subordinate Service (Amendment) Rules, 1983.

(b) They shall come into force at once.

2. *Amendment of the Rules.*—In the Special Rules for the Kerala Indigenous Medicine Subordinate Service,—

(1) in rule 2, under "Class I", for the existing entries under the heading "Method of Appointment" against category 8 "Pharmacist (Siddha)", the following entries shall be substituted namely:—

"(1) By direct recruitment; and
(2) By promotion from among Attendants (Siddha) in the Department.

"*Notes*:—(1) The ratio between direct recruitment and promotion shall be 1:1. If qualified persons are not available for promotion, the vacancies so reserved for promotion shall allso be filled up by direct recruitment.

(2) The suitability for promotion shall be assessed by the Public Service Commission in an interview";

(2) in the Annexure to rule 5, under "Class I" for the existing entries under column (2) "Qualifications" against the category "Pharmacist (Siddha)", the following shall be substituted, namely:—

"**For direct recruitment:—**

"B" Class Registration in Siddha with Travancore-Cochin Medical Councils or Diploma in Pharmacy in Indian Systems of Medicine, Siddha, awarded by the Government of Tamil Nadu.

For Promotion:—

(1) Pass in Standard VIII or its equivalent qualification.

(2) Not less than five years experience as Attender/Attendant in a Siddha Dispensary or hospital under the Department of Indian Systems of Medicine.

Note:—Persons appointed by promotion shall, during the period of probation undergo training as Pharmacist (Siddha) for a period of three months and pass the examination conducted by the Board constituted for the purpose. Persons who have undergone the above training shall be given only two chances for passing the examination. Those who fail in the examination as provided above, shall be reverted to the post from which they were promoted."

By order of the Governor,
C. RAMACHANDRAN,
Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

According to the Special Rules for the Kerala Indigenous Medicine Subordinate Service for appointment to the post of Pharmacist (Siddha) by direct recruitment, the qualification prescribed is "B Class Registration in Siddha with Travancore-Cochin Medical Councils". There is dearth of hands with the above qualification for direct recruitment to the post. In order to overcome the difficulty in getting qualified hands for appointment by direct recruitment, it is proposed to prescribe "Diploma in Pharmacy in Indian Systems of Medicine, Siddha" awarded by the Government of Tamil Nadu as an alternative qualification to the existing qualification. Further, at present there is provision only for direct recruitment to the post of Pharmacist (Siddha) in the Special Rules. It is considered necessary to make provision in the Special Rules for appointment to the post of Pharmacist (Siddha) by promotion from Attendants (Siddha) also so as to give promotion chances to persons in service. This notification is intended to achieve the above object.

To

The Director, Indian Systems of Medicine, Trivandrum.
The Principal, Ayurveda College, Trivandrum/Trippunithura
The Secretary, Kerala Public Service Commission, Trivandrum
(with C.L.)
The Accountant General, Kerala, Trivandrum
The General Admn. (SC) Department-vide proceedings of the Council of Ministers dated 27-I-1983 on item No. 602
The General Admn. (Services B) Department
The General Admn. (Rules) Department
The Private Secretary to Minister of Health

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 23461/TC2/82/TF & P. *Dated, Trivandrum, 6th January* 1983.

S.R.O. No. 392/83.—Whereas representation has been received by Government from the Stage Carriage Operator Shri A. K. Shahul Hameed, Ambalath House, Kalathode, Trichur that the arrears of vehicle tax for the quarter ended on the 31st March, 1982 and 30th June, 1982 in respect of the Stage Carriage bearing Registration Number KLR. 6839 could not be remitted within the prescribed period due to financial strain and that permission may be granted to remit the arrears of Vehicle tax in respect of this Vehicle in monthly instalments;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the arrears of vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 31st March, 1982 and 30th June, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would cause great inconvenience to the travelling public;

And whereas, the Government consider it necessary in public interest to permit the stage carriage operator to remit the arrears of the vehicle tax for the quarter ended on the 31st March, 1982 and 30th June, 1982 in respect of the said stage carriage in equal monthly instalments;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the arrears of vehicle tax for the quarter ended on the 31st March, 1982 and 30th June, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid in (10) ten equal consecutive monthly instalments beginning from 1st October, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

T. Sankaran,

Additional Secretary to Government.

[P.T.O.]

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting instalment facility for payment of vehicle tax for the quarter ended 31st March, 1982 and 30th June, 1982 due to financial strain.

Government are convinced of the position and in public interest, grant, instalment facility for payment of tax as otherwise the vehicle might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

Kerala Gazette No. 13 dated 29th March 1983.
PART I **Section iv**

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-C) Department

NOTIFICATION

No. 23335/TC2/82/TF&P. *Dated, Trivandrum, 6th January* 1983.

S.R.O. No. 393/83.—Whereas representation has been received by Government from the Stage Carriage Operator Shri Gopinatha Menon, Panangadu Veedu, Kumbalam P.O. Ernakulam that the arrears of vehicle tax for the quarter ended on the 31st March, 1982, 30th June, 1982, and 30th September, 1982 in respect of the Stage Garriage bearing Registration Number KLF 9529 could not be remitted within the prescribed period due to financial strain and that permission may be granted to remit the arrears of vehicle tax in respect of this vehicle in monthly instalments;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the arrears of vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 31st March, 1982, 30th June, 1982 and 30th September, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would cause great inconvenience to the travelling public;

And whereas, the Government consider it necessary in public interest to permit the stage carriage operator to remit the arrears of vehicle tax for the quarter ended on the 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the said stage carriage in equal monthly instalments;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the arrears of vehicle tax for the quarter ended on the 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid in ten consecutive equal monthly instalments beginning from 5th October, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

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Government have received representation from the Stage Carriage Operator as shown in the notification requesting instalment facility for payment of vehicle tax for the quarter ended 30th March, 1982, 30th June, 1982 and 30th September, 1982 due to financial strain.

Governmewn are convinced of the position and in public interest, grant instalment facility for payment of tax as otherwise the vehicle might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.



GOVERNMENT OF KERALA

Public Works and Electricity (Electricity-A) Department

NOTIFICATION

G. O. (P) No. 30/83/PW & E. *Dated, Trivandrum 16th February* 1983.

S R. O. No. 394/83—In exercise of the powers conferred by sub-section (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), the Government of Kerala hereby make the following further amendments to the Special Rules in respect of the members of the Kerala Electrical Inspectorate Service issued in G. O. (P) No. 5/72/W & P dated the 2nd February, 1972 and published in the Kerala Gazette No. 9 dated the 29th February, 1972, namely :—

AMENDMENT

1. In the said Rules, for the words, "Assistant Electrical Inspectors" wherever they occur, the words, "Deputy Electrical Inspectors" shall be substituted;

2. for the words "Assistant Electrical Inspector" occurring in the table under subrule (b) of rule 3, the words "Deputy Electrical Inspector" shall be substituted.

The above amendment shall be deemed to have come into force with effect on and from the 9th day of June 1981.

By order of the Governor,
R. P. SINGH,
Secretary to Government.

Explanatory Note

(This note is not part of the Notification but is intended to indicate its general purport.)

In G. O. (P) No. 116/81/PW & E dated 9-6-1981, Government changed the designation of the "Assistant Electrical Inspector" of the Department of Electrical Inspectorate as "Deputy Electrical Inspector". The qualifications and method of recruitment etc. for the post of Assistant Electrical Inspector have been prescribed in the Special Rules issued in G.O. (P) No. 5/72/W&P dated 2-2-1972. It has been decided to amend the designation in the above Special Rules also. This notification is intended to achieve the above object.

To

The Chief Electrical Inspector, Trivandrum
The Secretary, Kerala Public Service Commission (with C L)
The Secretary. K. S. E. Board, Trivandrum
The Director of Technical Education
The Chief Engineer (General Building and Roads)
The General Administration Department (Rules)
The General Administration Department (Services B)



GOVERNMENT OF KERALA

Public Works and Electricity (Electricity-A) Department

NOTIFICATION

G. O. (P) 29/83/PW&E. *Dated, Trivandrum, 16th February* 1983.

S. R. O. No.395/83.—In exercise of the powers conferred by subsection (1) of section 2 of the Kerala Public Services Act, 1968, (19 of 1968), the Government of Kerala hereby make the following rules further to amend the Special Rules for the Kerala Electrical Inspectorate Subordinate Service issued in G. O. (P) No. 45/82/PW & E dated the 23rd April, 1982 and published in the Kerala Gazette No. 31 dated the 3rd August 1982 namely :—

RULES

1. *Short title and commencement.*—(a) These rules may be called the Kerala Electrical Inspectorate Subordinate Service (Amendment) Rules, 1982.

(b) They shall be deemed to have come into force with effect on and from the 23rd day of April 1982.

2. *Amendment of the Rules* :—In the Rules for the Kerala Electrical Inspectorate Subordinate service, for the words "Junior Electrical Inspector" wherever the occur, the words "Assistant Electrical Inspector" shall be substituted.

By order of the Governor,

R. P. Singh,

Secretary to Government.

Explanatory Note

(This note is not part of the Notification, but is intended to indicate its general purport).

In G. O. (P) No. 116/81/PW & E dated 9-6-1981, Government changed the designation of "Junior Electrical Inspector" of the Department of Electrical Inspectorate as "Assistant Electrical Inspector". The qualifications and method of recruitment etc. for the post of "Junior Electrical Inspector"

have been prescribed in the Special Rules issued in G. O. (P) No. 45/82/PW & E dated 23-4-1982. It has been decided to amend the designation in the above Special Rules also. This notification is intended to achieve the above object.

To

The Chief Electrical Inspector
The Secretary, Kerala Public Service Commission (With C. L.)
The Secretary, K. S. E. Board, Trivandrum
The Director of Technical Education
The Chief Engineer (General Buildings and Roads)
The General Administration Department (Rules)
The General Administration Department (Services-B.)

GOVERNMENT OF KERALA

Law Department (Inspection Wing)

NOTIFICATION

No. 16517/B2/82/Law *Dated, Trivandrum 5th February* 1983

S. R. O. No. 396/83.—In exercise of the powers conferred by sub-section (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), the Government of Kerala hereby make the following rules further to amend the Kerala Government Law Officers (Appointment and Conditions of Service) and Conduct of Cases Rules, 1978, issued under G. O. (P)11/78/Law dated the 25th January, 1978, and published as S. R. O. No. 568/78 in Part I of the Kerala Gazette No. 25 dated the 20th June, 1978, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Government Law Officers (Appointment and Conditions of Service) and Conduct of Cases Amendment Rules, 1983.

(2) They shall be deemed to have come into force with effect from the 19th day of October, 1982.

2. *Amendment of the Rules.*—In the Kerala Government Law Officers (Appointment and Conditions of Service) and Conduct of Cases Rules, 1978, in rules 3, 4, 5 and 6 in Chapter II, rules 19 and 26 in Chapter III and rule 31 in Chapter IV, for the categories "Government Pleader" and "Junior Government Pleader" wherever they occur, the categories "Senior Government Pleader" and "Government Pleader" shall, respectively be substituted.

By order of the Governor,

C. MADHAVAN NAIR,

Deputy Secretary to Government.

Explanatory Note

On the recommendation of the Advocate General, it has been decided to change the designation of Government Pleader and Junior Government Pleader in the High Court as "Senior Government Pleader" and "Government Pleader" respectively. The amendment is to give effect to the above decision.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 19179/TC2/82/TF&P. *Dated, Trivandrum, 2nd November* 1982.

S. R. O. No. 397/83.—Whereas representation has been received by Government from the Stage Carriage Operator Shri Issack Varkey, Puthuval House, Onakur, Ernakulam that the arrears of vehicle tax for the quarter ended on the 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the Stage Carriage bearing Registration Number KEE. 2433 could not be remitted within the prescribed period due to financial strain and that permission may be granted to remit the arrears of vehicle tax in respect of this vehicle in monthly instalments ;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarters ended on the 31st March, 1982, 30th June 1982, and 30th September, 1982 due to financial strain ;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would cause great inconvenience to the travelling public ;

And whereas, the Government consider it necessary in public interest to require the stage carriage operator in respect of the said stage carriage to remit the arrears of vehicle tax for the quarter ended on the 31st March, 1982, immediately and to permit him to remit the arrears of vehicle tax for the quarter ended on the 30th June 1982 and 30th September, 1982 in equal monthly instalments ;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that out of the arrears of vehicle tax for the quarter ended on the 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 31st March, 1982 shall be paid immediately and the tax for the quarter ended on the 30th June, 1982 and 30th September, 1982, shall be paid in four equal monthly instalments commencing from 5th August 1982 together with additional tax payable under

section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

T. SANKARAN,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting instalment facility for payment of vehicle tax for the quarter ended 31st March 1982, 30th June, 1982, and 30th September, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant instalment facility for payment of tax as otherwise the vehicle might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 23868/TC2/82/TF & P. *Dated, Trivandrum, 3rd February* 1983.

S.R.O No. 398/83.—Whereas representations have been received by Government from the Stage Garriage Operators specified in the Annexure to this notification, that the vehicle tax for the quarter ended on the 31st March, 1982 30th June, 1982 and 30th September 1982 in respect of the Stage Garriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of these vehicles may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 31st March, 1982 30th June, 1982 and 30th September, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the said stage carriages;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the said stage carriages ordinarily kept for use in the State shall be paid on or before the 31st October, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

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ANNEXURE

Sl. No.	*Name of Stage Carriage Operators*	*Registration No. of the Stage Carriage*
1.	Shri T. Noorudeen, Manapurathu, Nayaramblam, Ernakulam.	KRF. 6959
2.	Smt. P. P. Remani, Puthenpurackal House, Murukuumpadam, Cochin-1.	KRF. 6676 KRE. 9430

By order of the Governor,

T. SANKARAN,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle tax for the quarter ended 31st March, 1982, 30th June, 1982 and 30th September 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport—C) Department

NOTIFICATION

No. 20740/TC2/82/TF&P. *Dated, Trivandrum, 16th November* 1982.

S.R.O. No. 399/83.—Whereas representation has been received by Government from the Stage Carriage Operator Shri A.G. Nandakumar, Ainikunnath House, P.O. Chiyyaram, Ollur, Trichur, that the arrears of vehicle tax for the quarter ended on the 31st December, 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the Stage Carriage bearing Registration Number KLF. 2054 could not be remitted within the prescribed period due to financial strain and that permission may be granted to remit the arrears of vehicle tax in respect of this vehicle in monthly instalments;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 31st December 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary in public interest to permit the stage carriage operator to remit the arrears of the vehicle tax for the quarter ended on the 31st December 1981, 31st March, 1982, 30th June, 1982, and 30th September, 1982 in respect of the said stage carriage in equal monthly instalments;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 31st December, 1981, 31st March 1982, 30th June, 1982 and 30th September, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid in ten consecutive equal monthly instalments begining from 30th August, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW., dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572, dated the 29th September, 1975.

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting instalment facility for payment of vehicle tax for the quarter ended on 31st December 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant instalment facility for payment of tax otherwise the vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 15847/TC2/82/TF&P. *Dated, Trivandrum, 18th January,* 1983.

S. R. O. No.400/83.—Whereas representation has been received by Government from the Stage Carriage Operator Shri Raveendranadhan Pillai, Kizhakkemanakovil House, Manjumamel Post, Ernakulam that the arrears of vehicle tax for the quarter ended on the 30th June, 1981, 30th September, 1981, 31st December, 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the Stage Carriage bearing Registration Number KLF. 3517 could not be remitted within the prescribed period due to financial strain and that further extension of time for payment of arrears of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the arrears of vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th June, 1981, 30th September, 1981, 31st December, 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would cause great inconvenience to the travelling public;

And whereas, the Government considered it necessary in public interest to require the stage carriage operator of the said stage carriage to remit the arrears of vehicle tax for the quarter ended on the 30th June, 1981 and 30th September, 1981 immediately 31st December, 1981 after 6th July 1982 and the balance amount in respect of the remaining quarter on or before 6th August, 1982;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that out of the arrears of vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th June, 1981, 30th September, 1981, 31st December, 1981, 31st March, 1982, 30th June 1982 and 30th September, 1982, the tax for the first two quarters shall be paid immediately after 6th July, 1982 and the arrears of tax for the remaining 4 (four) quarters shall

be paid on or before the 6th August, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/ 75-5/PW. dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received representation from the Stage Carriage Operator as shown in the notification requesting instalment facility for payment of vehicle tax for the quarter ended 30th June, 1981, 30th September, 1981, 31st December, 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling publio.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 24327/TC2/82/TF&P. *Dated, Trivandrum,* 14*th February* 1983.

S.R.O.No. 407/83.—Whereas representation has been received by Government from the Stage Carriage Operator Shri K. S. David, Kodiveedu, Cochin-1 that the vehicle tax for the quarter ended on the 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the Stage Carriage bearing Registration Number KRE. 3399 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 31st March, 1982, 30th June 1982 and 30th September, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have cause great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extent in public interest the time for payment of the vehicle tax for the quarter ended on the 31st March 1982, 30th June, 1982 and 30th September, 1982 in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on 31st March, 1982, 30th June, 1982 and 30th September, 1982, in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before 31st October, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th Spteember, 1975.

By order of the Governor,
K. KARUNAKARAN,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 31st March, 1982, 30th June, 1982, and 30th September, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

No G. O. (Rt) 194/83/LBR. *Dated, Trivandrum 26th February* 1983.

S. R. O. No. 408/83.—Where as the Government are satisfied that public interest so requires that the opening time of Anupama Theatres, Kottayam should be fixed as 12 noon, for the purpose of conducting noon shows;

Now, therefore, in exercise of the powers conferred by subsection (2) of Section 10 of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960), the Government of Kerala hereby order that for a period of three months from the date of this notification, the said theatre, shall not be opened earlier than 9 a. m. on Saturdays, Sundays and public holidays which fall on other days of the week, and 12 noon on all other days or closed on any day later than 2 a. m.

By order of the Governor.

K. I. THOMAS,

Deputy Secretary to Government.

Explanatory Note

(This does not form part of the Notification, but is intended to indicate its general purport.).

The provisions of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960) are applicable to the Cinema Theatres in this State. The Managing Partner, Anupama Theatres, Kottayan has requested Government to issue orders permitting them to conduct noon shows from 12 noon in the theatre Government consider the request may be allowed for a period of three months.

This notification is to achieve the above purpose.

GOVERNMENT OF KERALA

Taxes (A) Department

NOTIFICATION

G. O. Rt. 185/83/TD. *Dated, Trivandrum, 8th March* 1983.

S.R.O. No. 409/83—In exercise of the powers conferred by clause (d) of section 14 and sub-section (2) of section 29 of the Abkari Act, 1 of 1077, the Government of Kerala hereby make the following rules further to amend the Foreign Liquor (Storage in Bond) Rules, 1961, published under G. O. M. S. No. 1041/61/RD dated the 12th December, 1961 as S.R.O. No. 259/61 in the Kerala Gazette Extraordinary dated the 2nd January, 1962 namely:—

RULES

1. These rules may be called the Foreign Liquor (Storage in Bond) Amendment Rules, 1983.

2. In the Foreign Liquor (Storage in Bond) Rules, 1961, for rule 13, the following rule shall be substituted, namely:—

"13(a) Any loss in transit by breakage or otherwise of foreign liquor permitted to be imported, found on verification by the officer in charge, exceeding 0.5% and not satisfactorily accounted for by the licensee, shall be liable to duty at the full rate payable thereon by the licensee. In calculating the wastage in transit the whole quantity of spirits, wines and beer in each consignment shall be taken as a separate item and the wastage calculated for each item.

(b) An yearly stock taking of foreign liquor in the Bonded warehouse shall be made by the officer in charge on or before the last day of each financial year. Any loss in store, by breakage or otherwise, of foreign liquor permited to be stored, exceeding 0.5%, and not satisfactorily accounted for by the licensee shall be liable to duty at the full rate payable thereon by the licensee. Spirits, wines and Beer shall be accounted for separately, and wastage for each item worked out'.'

By order of the Governor,
PALAT MOHANDAS,
Secretary to Government.

Explanatory Note

This is not the part of the notification, but is intended to indicate the general purport.

The method in which loss of Foreign Liquor in transit and storage of foreign liquor in Bonded warehouses to be worked out, is not specified in the Rules. Government have also decided to reduce the transit and storage wastage of foreign liquor.

The amenment is intended to achieve the above subject.

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GOVERNMENT OF KERALA

Home (SS.B) Department

NOTIFICATION

G. O. (MS.) No. 26/83/Home. *Dated, Trivandrum, 28th January* 1983.

S. R. O. No. 410/83.—Whereas the place specified in the schedule below is of vital importance to the Country ;

And whereas information with respect thereto or the destruction or obstruction thereof or interference therewith would be useful to an enemy;

Now, therefore, in exercise of the powers conferred by sub-clause (d) of clause (8) of section 2 of the Indian Official Secrets Act, 1923 (Central Act 19 of 1923) read with the notification S. O. No. 1285 dated the 4tb May, 1963 of the Ministry of Home Affairs, Government of India, the Government of Kerala hereby declare the place specified in the schedule below to be "prohibited place" for the purpose of the said Act and direct that a copy of this notification in English and Malayalam versions be affixed to the said place.

SCHEDULE

Name of place	.. 66 K. V. Sub Station, Varkala
Location	.. Sreenivasapuram, Varkala
Survey Number	.. 4379/4, 5 and 9
Area	.. 1.7771 Hectares
Name of Village	.. Chemmaruthy
Name of Taluk	.. Chirayinkil
Name of District	.. Trivandrum
Name of Police Station	.. Varkala

BOUNDARY OR OTHER DESCRIPTION

North: Panchayath Road
East: Private land and Palachira Nadayara Road
South: Private land
West: Panchayath Road

Explanatory Note

(This does not form part of the notification but is intended to give its general purport).

It is considered necessary that the place mentioned in the schedule should be declared as 'prohibited place' under the Indian Official Secrets Act, 1923 since the place is of national importance. The above notification is intended to achieve this object.

G. 201

എസ്. ആർ. ഒ. നമ്പർ. 410/83. താഴെ പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന സ്ഥലം രാജ്യത്തിന് മർമ്മപ്രധാനമായതിനാലും ;

അതു സംബന്ധമായ വിവരമോ, അഥവാ അതു നശിപ്പിക്കുന്നതോ അതിനു പ്രതിബന്ധം സൃഷ്ടിക്കുന്നതോ അതിൽ ഇടപെടുന്നതോ ഒരു ശത്രുവിന് ഉപയോഗപ്രദമായിരിക്കുമെന്നതിനാലും;

ഇപ്പോൾ, അതിനാൽ, ഭാരത സർക്കാർ ആഭ്യന്തരമന്ത്രി കാര്യാലയത്തിന്റെ 1963 മേയ് 4-ാം തീയതിയിലെ എസ്. ഒ. 1285-ാം നമ്പർ വിജ്ഞാപനത്തോടുകൂടി ചേർത്തു വായിച്ചപ്രകാരമുള്ള 1923-ലെ ഇൻഡ്യൻ ഔദ്യോഗിക രഹസ്യ ആക്റ്റ് (1923-ലെ 19-ാം കേന്ദ്ര ആക്റ്റ്) 2-ാം വകുപ്പ് 8-ാം ഖണ്ഡം (ഡി) എന്ന ഉപഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് കേരള സർക്കാർ പ്രസ്തുത ആക്റ്റിന്റെ ആവശ്യത്തിലേക്കായി താഴെ പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന സ്ഥലം "നിരോധിതപ്രദേശമായി" ഇതിനാൽ പ്രഖ്യാപിക്കുകയും ഈ വിജ്ഞാപനത്തിന്റെ ഇംഗ്ലീഷിലും മലയാളത്തിലുമുള്ള ഒരു പകർപ്പ് പ്രസ്തുത സ്ഥലത്ത് പതിക്കുന്നതിന് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

പട്ടിക

സ്റ്റേഷന്റെ പേര്—66 കെ. വി. സബ് സ്റ്റേഷൻ, വർക്കല
സ്ഥാനം—ശ്രീനിവാസപുരം, വർക്കല
സർവ്വെ നമ്പർ—4379/4, 5, 9
വിസ്തീർണ്ണം—1.7771 ഹെക്ടർ
വില്ലേജിന്റെ പേര്—ചെമ്മരുതി
താലൂക്കിന്റെ പേര്—ചിറയിൻകീഴ്
ജില്ലയുടെ പേര്—തിരുവനന്തപുരം
പോലീസ് സ്റ്റേഷന്റെ പേര്—വർക്കല

അതിരും മററു വിവരങ്ങളും:
വടക്ക്: പഞ്ചായത്ത് റോഡ്
കിഴക്ക്: സ്വകാര്യ വസ്തുവും, പാലച്ചിറ നടയറ റോഡും
തെക്ക്: സ്വകാര്യഭൂമി
പടിഞ്ഞാറ്: പഞ്ചായത്ത് റോഡ്

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ അതിന്റെ പൊതു ഉദ്ദേശം വ്യക്തമാക്കുന്നതിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന സ്ഥലം ദേശീയ പ്രാധാന്യമുള്ളതിനാൽ ആ സ്ഥലത്തെ 1923-ലെ ഇൻഡ്യൻ ഔദ്യോഗിക രഹസ്യ ആക്റ്റിൻ കീഴിൽ 'നിരോധിതപ്രദേശ'മായി പ്രഖ്യാപിക്കുന്നത് ആവശ്യമാണെന്ന് കരുതുന്നു. മുകളിൽ പറഞ്ഞിരിക്കുന്ന വിജ്ഞാപനം ഈ ഉദ്ദേശം സാധിക്കുന്നതിന് വേണ്ടിയുള്ളതാണ്.

By order of the Governor,

K. V. VIDYADHARAN,

Special Secretary to Government.

GOVERNMENT OF KERALA

Agriculture (Co-operation) Department

ORDER

G. O. (Rt) No. 437/83/AD. *Dated, Trivandrum, 23rd February* 1983.

S.R.O. No. 411/83 Whereas under subsection (1) of section 59 of the Kerala Co-operative Societies Act, 1969 (21 of 1969), a society shall not make a loan to any person or a society other than a member;

And whereas under sub-rule (1) of rule 56 of the Kerala Co-operative Societies Rules, 1969, no financing bank or credit society other than an agricultural credit society with unlimited liability, a land Mortgage Bank and a society, the object of which is to grant long term loans exclusively on the mortgage of immovable properties shall grant loans for periods exceeding five years;

And whereas the Kalpetta Service, Co-operative Bank Limited No. F. 6807, Kalpetta, Wynad District has resolved to grant long term loans to its employees for the construction of house/for purchase of house or house site and for the purchase of vehicle for their personal use;

And whereas the said Co-operative Bank has sufficient disposable funds for advancing long term loans to its employees for construction of house/purchasing house or house site and for the purchase of vehicle for personal use;

And whereas the employees of the said Co-operative Bank are not member of the said Co-operative Bank and the period of repayment of the proposed loans exceeds five years;

And whereas the Government are satisfied that it is necessary in the public interest to exempt the Kalpetta Service Co-operative Bank Limited No. F. 6807 Kalpetta, Wynad District from the provision of subsection (1) of section 59 of the Kerala Co-operative Societies Act, 1969 (21 of 1969) and sub-rule (1) of rule 56 of the Kerala Co-operative Societies Rules, 1969;

Now, therefore, in exercise of the powers conferred by section 101 of the Kerala Co-operative Societies Act, 1969, (21 of 1969) and rule 181 of the Kerala Co-operative Societies Rules, 1969, the Government of Kerala hereby exempt the Kalpetta Service Co-operative Bank Ltd. No. F. 6807, Kalpetta, Wynad District, from the provisions of sub-section (1) of section 59 of the said Act and sub-rule (1) of rule 56 of

the said rules for the limited purpose of enabling the said Co-operative Bank to advance long term loans to its employees for construction of house/purchasing house or house site and for the purchase of vehicle for their personal use.

By order of the Governor,

A. T. Mohamedunni,

Additional Secretary to Government.

Explanatory Note

(This does not form part of the order but is intended to indicate its general purport.)

The Kalpetta Service Co-operative Bank Limited No. F. 6807 has decided to issue long term loans to its employees for construction of house/purchasing house or house site and for the purchase of vehicle for personal use. Section 59 (1) of the Kerala Co-operative Societies Act, 1969 does not allow the granting of loans to any one other than a member and rule 56 (1) of the Kerala Co-operative Societies Rule, 1969 restricts the term of a loan to five years. This order is to enable the bank to carry out the aforesaid decision of the Bank.

GOVERNMENT OF KERALA

Home (SS.B) Department

NOTIFICATION

G. O. (Ms) No. 23/83/Home. *Dated, Trivandrum, 27th January* 1983.

S. R. O. No. 415/83.—Whereas the place specified in the Schedule below is of vital importance to the country;

And whereas information with respect thereto or the destruction or obstruction thereof or interference therewith would be useful to an enemy;

Now, therefore, in exercise of the powers conferred by sub-clause (d) of clause (8) of section 2 of the Indian Official Secrets Act, 1923 (Central Act 19 of 1923), read with the Notification S.O. No. 1285 dated the 4th May, 1963 of the Ministry of Home Affairs, Government of India, the Government of Kerala hereby declare the place specified in the Schedule below to be 'Prohibited Place' for the purpose of the said Act and direct that a copy of this Notification in English and Malayalam versions be affixed to the said place.

SCHEDULE

Name of place	.. 66 KV Sub Station, Ettumanoor
Location	.. Kanakkari
Survey No.	.. 186/7, 6, 5-1
Area	.. 1.25955 Hectares.
Name of Village	.. Ettumânoor
Name of Taluk	.. Kottayam
Name of District	.. Kottayam
Name of Police Station	.. Ettumanoor

Boundary or other description

Part A		Part B
Substation compound		Switching Station on the other side
North: Private land	—	Paddy fields
East: Private land	—	Ettumanoor-Vaikom Road
South: Private land	—	Private land
West; Ettumanoor Vaikom Road	—	Land and paddy fields

Explanatory Note

(This does not form part of the notification but is intended to give its general purport.)

It is considered necessary that the places mentioned in the schedule should be declared as prohibited place under the Indian Official Secrets Act, 1923 since the place is of national importance. The above notification is intended to achieve this object.

എസ്. ആർ. ഒ. നമ്പർ. 415/83.—താഴെ പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന സ്ഥലം രാജ്യത്തിന് മർമ്മപ്രധാനമായതിനാലും;

അതു സംബന്ധമായ വിവരമോ, അഥവാ അതു നശിപ്പിക്കുന്നതോ അതിന് പ്രതിബന്ധം സൃഷ്ടിക്കുന്നതോ ഒരു ശത്രുവിന് ഉപയോഗപ്രദമായിരിക്കുമെന്നതിനാലും;

ഇപ്പോൾ, അതിനാൽ, ഭാരത സർക്കാർ ആഭ്യന്തരമന്ത്രി കാര്യാലയത്തിന്റെ 1963 മേയ് 4-ാം തീയതിയിലെ എസ്. ഒ. 1285-ാം നമ്പർ വിജ്ഞാപനത്തോട് കൂട്ടിച്ചേർത്തു വായിച്ച പ്രകാരമുള്ള 1923-ലെ ഇൻഡ്യാ ഔദ്യോഗിക രഹസ്യ ആക്റ്റ് (1923-ലെ 19-ാം കേന്ദ്ര ആക്റ്റ്) 2-ാം വകുപ്പ് (8)-ാം ഖണ്ഡം (ഡി) എന്ന ഉപഖണ്ഡം മൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് കേരള സർക്കാർ, പ്രസ്തുത ആക്റ്റിന്റെ ആവശ്യത്തിലേക്കായി താഴെ പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന സ്ഥലം 'നിരോധിത പ്രദേശ'മായി ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ഈ വിജ്ഞാപനത്തിന്റെ ഇംഗ്ലീഷിലും മലയാളത്തിലുമുള്ള ഒരു പകർപ്പ് പ്രസ്തുത സ്ഥലത്ത് പതിക്കുന്നതിന് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

പട്ടിക

സ്ഥലത്തിന്റെ പേര്—66 കെ.വി. സബ് സ്റ്റേഷൻ, ഏറ്റുമാനൂർ
സ്ഥാനം—കണക്കാരി
സർവേ നമ്പർ—186/7, 6, 5—1
വിസ്തീർണ്ണം—1.25955 ഹെക്ടർ
വില്ലേജിന്റെ പേര് ഏറ്റുമാനൂർ
താലൂക്കിന്റെ പേര്—കോട്ടയം
ജില്ലയുടെ പേര്—കോട്ടയം
പോലീസ് സ്റ്റേഷന്റെ പേര്—ഏറ്റുമാനൂർ

അതിരും മററു വിവരങ്ങളും

	ഭാഗം എ സബ് സ്റ്റേഷൻ പരിസരം	ഭാഗം ബി മറുവശത്തുള്ള സ്വിച്ചിംഗ് സ്റ്റേഷൻ
വടക്ക്:	സ്വകാര്യ ഭൂമി	നെൽവയൽ
കിഴക്ക്:	സ്വകാര്യഭൂമി	ഏറ്റുമാനൂർ വൈക്കം റോഡ്
തെക്ക്:	സ്വകാര്യഭൂമി	സ്വകാര്യഭൂമി
പടിഞ്ഞാറ്:	ഏറ്റുമാനൂർ വൈക്കം റോഡ്	ഭൂമിയും നെൽവയലും

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ അതിന്റെ പൊതു ഉദ്ദേശം വ്യക്തമാക്കാനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന സ്ഥലം ദേശീയ പ്രാധാന്യമുള്ളതാകയാൽ ആ സ്ഥലത്തെ 1923-ലെ ഇൻഡ്യൻ ഔദ്യോഗിക രഹസ്യ ആക്റ്റ് പ്രകാരം 'നിരോധിത പ്രദേശമായി' പ്രഖ്യാപിക്കുന്നതും ആവശ്യമാണെന്ന് കരുതുന്നു. മുകളിൽ പറഞ്ഞിരിക്കുന്ന വിജ്ഞാപനം ഈ ഉദ്ദേശം സാധിക്കുന്നതിനു വേണ്ടിയുള്ളതാണ്.

By order of the Governor,
K. V. Vidyadharan,
Special Secretary to Government.

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 29th March 1983 / 8th Chaithra 1905 [No. 369

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REPORT OF THE SUBJECT COMMITTEE

ON

THE ELECTRICITY (SUPPLY) KERALA AMENDMENT BILL, 1983

AND

THE BILL AS REPORTED BY THE SUBJECT COMMITTEE

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

33|1318|MC.

THE ELECTRICITY (SUPPLY) KERALA AMENDMENT BILL, 1983

(Report of the Subject Committee)

Subject Committee III—Irrigation and Power to which the Electricity (Supply) Kerala Amendment Bill, 1983 was referred, considered the Bill clause by clause and submit this, its report with the Bill as reported by the Committee annexed thereto.

2. The Electricity (Supply) Kerala Amendment Bill, 1983 was published as a Gazette Extraordinary dated March 7, 1983.

3. The Bill was introduced in the Assembly on March 28, 1983 and was referred to the Committee on the same day.

4. The Committee considered the Bill clause by clause at its sitting held on March 28, 1983.

5. The committee considers that the Board should not be made liable to reimburse any amount realised from a party. Necessary changes have been made to clause 2 accordingly.

M.P. GANGADHARAN,
Chairman,
Subject Committee III

THE ELECTRICITY (SUPPLY) KERALA AMENDMENT BILL, 1983

(As reported by the Subject Committee)

(*Words side lined indicate changes made by the Committee*)

A

BILL

to amend the Electricity (Supply) Act, 1948, *in its application to the State of Kerala.*

Preamble.—WHEREAS it is expedient to amend the Electricity (Supply) Act, 1948, in its application to the State of Kerala for the purpose hereinafter appearing;

BE it enacted in the Thrity-fourth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—This Act may be called the Electricity (Supply) Kerala Amendment Act, 1983.

(2) It extends to the whole of the State of Kerala.

(3) It shall be deemed to have come into force on the 21st day of February, 1983.

2. *Amendment of section 49.*—In section 49 of the Electricity (Supply) Act, 1948 (Central Act 54 of 1948) (hereinafter referred to as the principal Act), after sub-section (4) the following sub-section shall be inserted namely:—

(5) The party to an agreement or any other arrangement entered into prior to the commencement of the Electricity (Supply) Kerala Amendment Act, 1983 and providing for supply of electricity by the Board shall, notwithstanding anything contained in the instrument of such agreement or other arrangement or in any law including this Act in force at such commencement—

(a) pay, in respect of the electricity supplied after such commencement, such price (by whatever name called) calculated in accordance with the uniform tariff framed or modified from time to time under sub-section (1) and applicable to the category to which such party belongs;

(b) shall not be entitled to reimbursement by the Board from such price of any amount, whether on account of increase in price of the electricity supplied to it by the Board or on account of any tax, duty, surcharge, levy.

cess or any other imposition or charges payable by such party in respect of the electricity supplied to it by the Board.

3. *Repeal and Saving.*—(1) The Electricity (Supply) Kerala Amendment Ordinance, 1983 (6 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Secretariat of the Kerala Legislature,
Trivandrum,
March 29, 1983.

DR. R. PRASANNAN,
Secretary.

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Government of Kerala
1983

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Tuesday, 29th March 1983 / 8th Chaithra 1905 [No.

CONTENTS

REPORT OF THE SUBJECT COMMITTEE

ON

THE KERALA RAW CASHEWNUTS (PROCUREMENT AND DISTRIBUTION) AMENDMENT BILL, 1983

AND

THE BILL AS REPORTED BY THE SUBJECT COMMITTEE

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

THE KERALA RAW CASHEWNUTS (PROCUREMENT AND DISTRIBUTION) AMENDMENT BILL, 1983

(Report of the Subject Committee)

Subject Committee IV—Industry & Minerals to which the Kerala Raw Cashewnuts (Procurement and Distribution) Amendment Bill, 1983 was referred, have considered the Bill clause by clause and now, submit this, their Report with the Bill as reported by the Committee annexed thereto.

2. The Kerala Raw Cashewnuts (Procurement and Distribution) Amendment Bill, 1983 was published as a Gazette Extraordinary dated March 21, 1983. The Bill was introduced in the Assembly on March 28, 1983 and was referred to the Subject Committee on the same day.

3. The Committee considered the Bill clause by clause at their sitting held on March 28, 1983.

4. The Committee recommended to adopt the Bill without any modification.

E. AHAMED,
Chairman,
Subject Committee IV

THE KERALA RAW CASHEWNUTS (PROCUREMENT AND DISTRIBUTION) AMENDMENT BILL, 1983

(As Reported by the Subject Committee)

A

BILL

to amend the Kerala Raw Cashewnuts Procurement and Distribution Act, 1981.

Preamble.—WHEREAS it is expedient to amend the Kerala Raw Cashewnuts (Procurement and Distribution) Act, 1981, for the purposes hereinafter appearing;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Raw Cashewnuts (Procurement and Distribution) Amendment Act, 1983.

(2) It shall be deemed to have come into force on the 22nd day of February, 1983.

2. *Substitution of new long title for existing long title.*—In the Kerala Raw Cashewnuts (Procurement and Distribution) Act, 1981 (14 of 1981) (hereinafter referred to as the principal Act), for the long title, the following long title shall be substituted, namely:—

"An Act to make provisions for facilitating the maintenance of supplies of raw cashewnuts to the cashew factories in the State and for matters incidental thereto.".

3. *Amendment of Preamble.*—In the preamble to the principal Act, for the sixth paragraph, the following paragraph shall be substituted, namely:—

"AND WHEREAS, in the circumstances, it is considered necessary to make provisions for facilitating the maintenance of supplies of raw cashewnuts produced within the State to the cashew factories in the State and for fixation of a minimum price for such raw cashewnuts;".

4. *Amendment of section* 1.—In section 1 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) This Act may be called the Kerala Raw Cashewnuts (Marketing and Transport and Fixation of Minimum Price) Act, 1981.".

5. *Amendment of section* 2.—In section 2 of the principal Act,—

(i) for clause (a), the following clause shall be substituted, namely:—

"(a) "agent" means the agent appointed under sub-section (2) of section 3;";

(ii) after clause (d), the following clause shall be inserted, namely:—

"(dd) "licensee" means a person to whom a licence to purchase raw cashewnuts is granted under section 2A;";

(iii) for clause (e), the following clause shall be substituted, namely:—

"(e) "minimum price", in relation to raw cashewnuts, means the price notified under sub-section (2) of section 5;";

(iv) after clause (l), the following clause shall be inserted, namely:—

"(m) "sub-licensee" means a sub-licensee appointed by a licensee under section 2C.".

6. *Insertion of new sections 2A, 2B and 2C.*—After section 2 of the principal Act, the following sections shall be inserted, namely:—

"2A. *Grant of licence for purchase of raw cashewnuts.*—(1) Any occupier may, within a period of thirty days from the commencement of the Kerala Raw Cashewnuts (Procurement and Distribution) Amendment Act, 1983, or within such further period as may be specified by the Government in this behalf, make an application to the competent authority for a licence to purchase raw cashewnuts.

(2) An application under sub-section (1) shall be in the prescribed form and shall be verified in the prescribed manner and shall be affixed with a court fee stamp of the value of two rupees.

(3) On receipt of an application under sub-section (1), the competent authority shall, after such inquiry as it considers necessary, grant the licence applied for or reject the application:

Provided that before rejecting an application, the applicant shall be given an opportunity to state his case against such rejection.

(4) The licence shall be in such form and shall be subject to such terms and conditions as may be prescribed.

(5) The fee for a licence under this section shall be one thousand rupees.

2B. *Suspension of licence.*—Where the competent authority is satisfied that a licensee has contravened any of the provisions of this Act or of any of the terms and conditions of the licence, it may, without prejudice to any other action under this Act, by order, suspend the licence for such period, not exceeding six months, as may be specified in the order

Provided that no licence shall be suspended without giving the licensee an opportunity to state his case against such suspension.

2C. *Appointment of sub-licensees.*—A licensee may, by order in writing, appoint any person as a sub-licensee for the purposes of this Act and define the local area for which he is so appointed:

Provided that no such order shall be valid unless it is countersigned by an officer authorised by the Government in this behalf.".

7. *Substitution of new section for section* 3.—For section 3 of the principal Act, the following section shall be substituted, namely:—

"3. *Persons authorised to purchase raw cashewnuts.*—(1) No person shall sell any raw cashewnut within the State except to a licensee or a sub-licensee or the agent or a sub-agent and no person other than a licensee or a sub-licensee or the agent or a sub-agent shall purchase any raw cashewnut within the State.

(2) The Government may appoint an agent for the purpose of purchase of raw cashewnuts within the State.

(3) No person other than a co-operative society shall be appointed as the agent under sub-section (2).".

8. *Amendment of section* 4.—In section 4 of the principal Act,—

(a) in the opening paragraph, for the words "the agent", the words "a licensee or a sub-licensee or the agent" shall be substituted;

(b) the proviso shall be omitted.

9. *Substitution of new sections for sections* 5 *and* 6.—For sections 5 and 6 of the principal Act, the following sections shall be substituted, namely:—

5. *Minimum price to be paid for raw cashewnuts.*—(1) A licensee or a sub-licensee or the agent or a sub-agent shall not purchase raw cashewnuts at a price which is less than the minimum price notified under sub-section (2).

(2) For the purposes of sub-section (1), the Government shall, from time to time, notify in such manner as they think fit the minimum price of raw cashewnuts in the different localities in the State.

(3) Subject to such rules as to quality, as may be made by the Government in this behalf, the agent or a sub-agent shall not refuse to purchase at the minimum price any raw cashewnut tendered to him by or on behalf of any cultivator.

6. *Agent, licensees and sub-licensees to furnish return.*—(1) The agent and every licensee shall furnish to the Government and to any officer specified

by the Government in this behalf by notification in the Gazette, on such day or days as may be prescribed, a return in the prescribed form showing the place or places where raw cashewnuts have been stocked by him, the quantity thereof and the price paid by him therefor.

(2) Every sub-licensee shall furnish to an officer specified by the Government in this behalf by notification in the Gazette, on such day or days as may be prescribed, a return in the prescribed form showing the place or places where raw cashewnuts have been stocked by him and the quantity thereof.

10. *Amendment of section* 10.—In section 10 of the principal Act, in clause (b), for the words and figures "the provisions of section 11", the words "the directions issued by the Government in this behalf" shall be substituted.

11. *Omission of sections* 11, 12 *and* 13.—Sections 11, 12 and 13 of the principal Act shall be omitted.

12. *Substitution of new section for section* 14.—For section 14 of the principal Act, the following section shall be substituted, namely:—

"14. *Processing of raw cashewnuts to be done in registered factories within the State.*—A licensee shall not process the raw cashewnuts purchased by him or on his behalf within the State except in a cashew factory in the State, which is registered in pursuance of the rules made under the Factories Act, 1948 (Central Act 63 of 1948) and of which he is the occupier.

Explanation.—For the purposes of this section, "processing" means roasting, shelling, peeling or grading.".

13. *Amendment of section* 15.—In section 15 of the principal Act, in the proviso, for the words "the agent or a sub-agent", the words "a licensee or a sub-licensee or the agent or a sub-agent" shall be substituted.

14. *Amendment of section* 20.—In section 20 of the principal Act, in sub-section (2), for the words, brackets and figures "at the highest price notified under sub-section (2) of section 5", the words "at the minimum price" shall be substituted.

15. *Amendment of section* 22.—In section 22 of the principal Act, in sub-section (2),—

(a) for the words "be paid the price", the words "be paid the minimum price" shall be substituted;

(b) the words and figure "and such price shall be determined in accordance with the provisions of section 5" shall be omitted.

16. *Repeal and saving.*—(1) The Kerala Raw Cashewnuts (Procurement and Distribution) Amendment Ordinance, 1983 (7 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any Action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Secretariat of the Kerala
Legislature, Trivandrum,
March 29, 1983.

DR. R. PRASANNAN,
Secretary.

6

Government of Kerala
1983

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

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REPORT OF THE SUBJECT COMMITTEE

ON

THE KERALA GENERAL SALES TAX (AMENDMENT) BILL, 1983

AND

THE BILL AS REPORTED BY THE SUBJECT COMMITTEE

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

THE KERALA GENERAL SALES TAX AMENDMENT BILL, 1983

(Report of the Subject Committee)

Subject Committee VIII—Economic Affairs to which the Kerala General Sales Tax (Amendment) Bill, 1983 was referred, considered the Bill clause by clause and submit this, its report with the Bill as reported by the Committee annexed thereto.

2. The Kerala General Sales Tax (Amendment) Bill, 1983 was published as a Gazettee Extraordinary dated March 7, 1983.

3. The Bill was introduced in the Assembly on March 10, 1983 and was referred to the Committee on March 28, 1983.

4. The Committee considered the Bill clause by clause at its sitting held on March 28, 1983. The Committee recommended to adopt the Bill without any modification.

K. M. Mani,

Minister for Finance and Law

Chairman,

Subject Committee VIII

THE KERALA GENERAL SALES TAX (AMENDMENT) BILL, 1983

(As reported by the Subject Committee)

A

BILL

further to amend the Kerala General Sales Tax Act, 1963.

Preamble.—WHEREAS it is expedient further to amend the Kerala General Sales Tax Act, 1963, for the purposes hereinafter appearing;

BE it enacted in the Thirty-fourth year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Kerala General Sales Tax (Amendment) Act, 1983.

(2) Clauses (a) and (b) of section 2 and sections 3, 4, 5, 6, 7 and 8 shall be deemed to have come into force on the 1st day of April, 1982, and the remaining provisions of this Act shall be deemed to have come into force on the 14th day of October, 1982.

2. *Amendment of section 5.*—In section 5 of the Kerala General Sales Tax Act, 1963 (15 of 1963) (hereinafter referred to as the principal Act),—

(a) in sub-section (1), for the words "fifty thousand rupees", the words "seventy-five thousand rupees" shall be substituted;

(b) in sub-section (2), for the words "fifteen thousand rupees", the words "twenty-five thousand rupees" shall be substituted;

(c) after sub-section (3), the following sub-section shall be inserted, namely:—

"(3A) Notwithstanding anything contained in sub-section (1) or sub-section (2), the tax payable by a dealer in respect of any sale of the goods specified in the First Schedule, which is liable to tax at a rate higher than four per cent, by such dealer to another for use by the latter as component part, not being a component part as defined in the *Explanation* to sub-section (3), of any other goods mentioned in the said Schedule, which he intends to manufacture inside the State for sale shall be at the rate of only four per cent on the taxable turnover relating to such sale;

Provided that the provisions of this sub-section shall not apply to any sale unless the dealer selling the goods furnishes to the assessing authority in the prescribed manner a declaration duly filled in and signed by the dealer to whom the goods are sold containing the prescribed particulars in the prescribed form:

Provided further that the goods sold are capable of being used as component part, not being a component part as defined in the said *Explanation*, of any of the goods specified in the First Schedule.".

(d) after sub-section (6), the following sub-section shall be inserted, namely:—

"(7) Notwithstanding anything contained in sub-section (1) or sub-section (2), the tax payable by a dealer in respect of any sale of industrial raw materials or packing materials, which is liable to tax at a rate higher than four per cent, when sold to industrial units for use in the production of finished products inside the State for sale or for packing of such finished products inside the State for sale, as the case may be, shall be at the rate of only four per cent on the taxable turnover relating to such industrial raw materials or packing materials, as the case may be:

Provided that this sub-section shall not apply where the sale of such finished products is not liable to tax either under this Act or under the Central Sales Tax Act, 1956 (Central Act 74 of 1956) or when such finished products are exported out of the territory of India:

Provided further that the provisions of this sub-section shall not apply to any sale unless the dealer selling the goods furnishes to the assessing authority in the prescribed manner a declaration duly filled in and signed by the dealer to whom the goods are sold, containing the prescribed particulars in the prescribed form.".

3. *Amendment of section 5A.*—In section 5A of the principal Act,—

(a) in sub-section (2), for the words "fifty thousand rupees" and "fifteen thousand rupees", the words "seventy-five thousand rupees" and "twenty-five thousand rupees" shall respectively be substituted;

(b) in sub-section (3), for the words "fifty thousand rupees" and "fifty-five thousand rupees", the words "seventy-five thousand rupees" and "eighty thousand rupees" shall respectively be substituted.

4. *Amendment of section 7.*—In section 7 of the principal Act, for the words "fifty thousand rupees" and "fifty-five thousand rupees", the words "seventy-five thousand rupees" and "eighty thousand rupees", shall respectively be substituted.

5. *Amendment of section* 13.—In section 13 of the principal Act,—

(a) in sub-section (1), for the words "fifty thousand rupees", the words "seventy-five thousand rupees" shall be substituted;

(b) in sub-section (2), for the words "fifteen thousand rupees", the words "twenty-five thousand rupees" shall be substituted.

6. *Amendment of section* 17.—In section 17 of the principal Act, in sub-sections (4) and (6), for the words "one lakh and fifty thousand rupees", the words "two lakhs rupees" shall be substituted;

7. *Omission of section* 18.—Section 18 of the principal Act shall be omitted.

8. *Amendment of section* 34.—In section 34 of the principal Act, the words, brackets and figures "sub-section (1), sub-section (2) or sub-section (3) of section 18", in both the places where they occur, shall be omitted;

9. *Amendment of First Schedule*.—In the First Schedule to the principal Act,—

(a) in column (4) against serial number 3, for the figures "10", the figure "8" shall be substituted;

(b) in column (4) against serial number 8, for the figures "10", the figure "8" shall be substituted;

(c) serial number 16 and the entries relating thereto shall be omitted;

(d) in column (4) against serial number 20, for the figures "10", the figure "8" shall be substituted;

(e) before serial number 37 and the entries relating thereto, the following shall be inserted, namely:—

"36A	Arrack	At the point of first sale in the State by a dealer who is liable to tax under section 5	15";

(f) in column (4) against serial number 39, for the figures "10", the figure "8" shall be substituted;

(g) for serial number 40, and the entries relating thereto, the following shall be substituted, namely:—

"40	Synthetic rubber and its products and mixture of rubber and synthetic rubber and its products, excluding synthetic rubber foam, polyurethene foam and plastic foam and their products	At the point of first sale in the State by a dealer who is liable to tax under section 5	12
40A	Synthetic rubber foam, polyurethene foam and plastic foam and their products	do.	15";

(h) for serial numbers 42 and 43 and the entries relating thereto, the following shall be substituted, namely:—

"42	Artificial silk yarn and synthetic polyester fibre	At the point of first sale in the State by a dealer who is liable to tax under section 5	4
43	Staple fibre yarn	do.	2";

(i) in column (4) against serial number 61, for the figure "8", the figure "6" shall be substituted;

(j) for serial number 72 and the entries relating thereto, the following shall be substituted, namely:—

"72	Paints, colours and lacquers	At the point of first sale in the State by a dealer who is liable to tax under section 5	10
72A	Varnishes, pigments, polishes, indigo, enamel, putty, bale oil, white oil, turpentine oil, thinners, emers and paint brushes	do.	7";

(k) in column (4) against serial number 73, for the figure "7", the figures "10" shall be substituted;

(l) in the entries in column (2) against serial number 84, for item (x), the following item shall be substituted, namely:—

"(x) Dicalcium Phosphate";

(m) in column (4) against serial number 95, for the figure "7", the figures "10" shall be substituted;

(n) in column (4) against serial number 99, for the figure "6", the figure "4" shall be substituted;

(o) in column (4) against serial number 112, for the figure "5", the figures "10" shall be substituted;

(p) in column (4) against serial number 115, for the figure "8", the figure "6" shall be substituted;

(q) in column (4) against serial number 117, for the figure "7", the figures "10" shall be substituted;

(r) in column (4) against serial number 119, for the figure "9", the figure "8" shall be substituted;

(s) in column (4) against serial number 124, for the figure "8", the figure "6" shall be substituted;

(t) before serial number 130 and the entries relating thereto, the following shall be inserted, namely:—

"129A.	Grinders, mixers, hot plates, water heaters, washing machines and cooking ranges used as domestic electric appliances	At the point of first sale in the State by a dealer who is liable to tax under section 5	12";

(u) in column (4) against serial number 136, for the figures "13", the figures "15" shall be substituted;

(v) in column (4) against serial number 146, for the figure "6", the figure "5" shall be substituted;

(w) in column (4) against serial number 154, for the figures "12", the figures "15" shall be substituted;

(x) for serial number 156 and the entries relating thereto, teh following shall be substituted, namely:—

"156	Plastics and articles made of plastics including plastic pipes	At the point of first sale in the State by a dealer who is liable to tax under section 5	6";

(y) for the entry in column (2) against serial number 168, the following shall be substituted, namely:—

"Pipes made of synthetic materials other than plastics".

10. *Amendment of Third Schedule.*—In the Third Schedule to the principal Act,—

(a) serial number 11A and the entry relating thereto shall be omitted;

(b) the following shall be inserted at the end, namely:—

"17. Slates and slate pencils.

18. Tapioca and its products.".

11. *Repeal and saving.*—(1) The Kerala General Sales Tax (Amendment) Ordinance, 1982 (5 of 1982), is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Secretariat of the Kerala
Legislature, Trivandrum,
March 29, 1983.

DR. R. PRASANNAN,
Secretary.

Reg. No. KL/TV(N)/12



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33|1321|MC.

THE AGRICULTURAL INCOME TAX (AMENDMENT) BILL, 1983

(Report of the Subject Committee)

Subject Committee VIII—Economic Affairs to which the Agricultural Income Tax (Amendment) Bill, 1983 was referred, conisdered the Bill clause by clause and submit this, its report with the Bill as reported by the Committee annexed thereto.

2. The Agricultural Income Tax (Amendment) Bill, 1983 was published as a Gazette Extraordinary dated March 8, 1983.

The Bill was introduced in the Assembly on March 28, 1983 and was referred to the Committee on the same day.

3. The Committee considered the Bill clause by clause at its sitting held on March 28, 1983. The Committee recommended to adopt the Bill without any modification.

K. M. MANI,

Minister for Finance and Law and
Chairman,
Subject Committee VIII

THE AGRICULTURAL INCOME TAX (AMENDMENT) BILL, 1983

(As reported by the Subject Committee)

A

BILL

further to amend the Agricultural Income Tax Act, 1950.

Preamble.—WHEREAS it is expedient further to amend the Agricultural Income Tax Act, 1950, for the purpose hereinafter appearing;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Agricultural Income Tax (Amendment) Act, 1983.

(2) It shall come into force on the 1st day of April, 1983.

2. *Amendment of Schedule.*—In the Schedule to the Agricultural Income Tax Act, 1950 (XXII of 1950) (hereinafter referred to as the principal Act), for paragraph (1), the following paragraph shall be substituted, namely:—

"(1) in the case of a person other than a company,—

where the total agricultural income does not exceed Rs. 20,000	NIL
where the total agricultural income exceeds Rs. 20,000 but does not exceed Rs. 25,000	30 per cent of the amount by which the total agricultural income exceeds Rs. 20,000
where the total agricultural income exceeds Rs. 25,000 but does not exceed Rs. 30,000]	Rs. 1,500 plus 40 per cent of the amount by which the total agricultural income exceeds Rs. 25,000
where the total agricultural income exceeds Rs. 30,000 but does not exceed Rs. 50,000	Rs. 3,500 plus 50 per cent of the amount by which the total agricultural income exceeds Rs. 30,000

where the total agricultural income exceeds Rs. 50,000 but does not exceed Rs. 70,000	Rs. 13,500 plus 60 per cent of the amount by which the total agricultural income exceeds Rs. 50,000
where the total agricultural income exceeds Rs. 70,000	Rs. 25,500 plus 70 per cent of the amount by which the total agricultural income exceeds Rs. 70,000.".

3. *Repeal and saving.*—(1) The Agricultural Income-tax (Amendment) Ordinance, 1982 (4 of 1982) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Secretariat of the Kerala Legislature,
Trivandrum,
March 29, 1983.

DR. R. PRASANNAN,
Secretary.

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1983

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33|1322|MC.

THE KERALA MOTOR VEHICLES TAXATION (AMENDMENT) BILL, 1983

(Report of the Subject Committee)

Subject Committee V—Public Works, Transport and Communications, to which the Kerala Motor Vehicles Taxation (Amendment) Bill, 1983 was referred, considered the Bill clause by clause and submit this, its report with the Bill as reported by the Committee annexed thereto.

2. The Kerala Motor Vehicels Taxation (Amendment) Bill, 1983 was published as a Gazette Extraordinary dated March 16, 1983.

3. The Bill was introduced in the Assembly on March 28, 1983 and was referred to the Committee on the same day.

4. The Committee considered the Bill clause by clause at its sitting held on March 28, 1983. The Committee recommended to adopt the Bill without any modification.

K. K. BALAKRISHNAN,
Minister for Transport,
Chairman,
Subject Committee V

THE KERALA MOTOR VEHICLES TAXATION (AMENDMENT) BILL, 1983

(As reported by the Subject Committee)

A

BILL

to amend the Kerala Motor Vehicles Taxation Act, 1976

Preamble.—WHEREAS it is expedient to amend the Kerala Motor Vehicles Taxation Act, 1976, for the purposes hereinafter appearing;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Motor Vehicles Taxation (Amendment) Act, 1983.

(2) It shall be deemed to have come into force on the 1st day of January, 1982.

2. *Amendment of Schedule.*—In the Schedule to the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976) (hereinafter referred to as the principal Act), in the entries relating to Serial Number 4,—

(a) under the heading "Rate of quarterly tax", for the figures "100.00" against sub-class (i) (d) under the heading "Class of vehicle", the figures "200.00" shall be substituted;

(b) for clause (a) of sub-class (iii) under the heading "Class of vehicle" and the entries against that clause under the heading "Rate of quarterly tax", the following shall be substituted, namely:—

"(a) For every seated passenger (other than the driver and conductor) which the vehicle is permitted to carry. 120.00"

3. *Repeal and saving.*—(1) The Kerala Motor Vehicles Taxation (Amendment) Ordinance, 1983 (1 of 1983) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Secretariat of the Kerala
Legislature, Trivandrum,
March 29, 1983.

DR. R. PRASANNAN,
Secretary.

Reg. No. KL/TV(N)/1:



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GOVERNMENT OF KERALA

Industries (G) Department

NOTIFICATIONS

No. 4750/G1/83/ID. *Dated, Trivandrum, 29th March, 1983.*

I

S. R. O. No. 413/83.—WHEREAS, the Government of Kerala, as per Notifications I and II No. 38061/GI/80/ID dated the 30th March, 1982, published as S. R. O. Nos. 445/82 and 446/82 respectively, in the Kerala Gazette Extraordinary No. 244 dated the 30th March, 1982, have declared Messrs Kunnathara Textiles Limited, Modakkallur P. O., Koomully, Calicut District as a "Relief Undertaking" for a period of one year with effect from the 30th March, 1982;

AND WHEREAS, the Government of Kerala are satisfied that it is necessary that Messrs Kunnathara Textiles Limited, Modakkallur P. O., Koomully, Calicut District should be continued to be conducted as a "Relief Undertaking" for a further period of twelve months from the 30th March, 1983;

NOW, THEREFORE, in exercise of the powers conferred by Sub-section (2) of Section 3 of the Kerala Relief Undertakings (Special Provisions) Act, 1961 (6 of 1962), the Government of Kerala hereby declare that Messrs Kunnathara Textile Limited, Modakkallur P. O.,

Koomully, Calicut District shall, for a further period of twelve months from the 30th March, 1983, be conducted to serve as a measure of preventing unemployment and of unemployment relief and that the said undertaking shall accordingly be deemed to be a "Relief Undertaking" for the purposes of the said Act;—

II

S. R. O. No. 414/83.—In exercise of the powers conferred by Section 4 of the Kerala Relief Undertakings (Special Provisions) Act, 1961 (6 of 1962), the Government of Kerala hereby direct that during the period in which Messrs Kunnathara Textiles Limited, Modakkallur P. O., Koomully, Calicut District continues as a Relief Undertaking by virtue of Notification I No. 4750/G1/83/ID dated the 29th March, 1983 issued under section 3 of the said Act;

(i) all the provisions of the laws specified in the Schedule to the said Act, which involve any financial commitment or expenditure shall not apply in respect of the said undertaking and it shall be exempt therefrom;

(ii) all agreements settlements and awards made under the laws specified in the Schedule to the said Act, which were applicable to the said undertakings immediately before any loan, guarantee or financial assistance was provided to it by the Government for being run as a relief undertaking shall be suspended in operation;

(iii) any liability of the said undertaking to pay tax under the Kerala General Sales Tax Act, 1963 (15 of 1963), incurred before the undertaking was declared a relief undertaking and any remedy for enforcing the payment thereof shall be suspended and all proceedings relating to the levy, assessment, collection and recovery of such tax pending before any court, tribunal, officer or authority shall be stayed;

(iv) any liability or obligation of the said undertaking accrued or incurred before it was declared a relief undertaking and any remedy for the enforcement thereof shall be suspended and all the proceedings relative thereto pending before any court, tribunal, officer or authority shall be stayed; and

(v) the right, privilege, obligation or liability referred to in paras (iii) and (iv) above shall on the notification ceasing to have force, revive and be enforceable and the proceedings referred to therein shall be continued:

Provided that in computing the period of limitation for the enforcement of such right, privilege, obligation or liability, the period during which it was suspended under paras (iii) and (iv) above shall be excluded.

By order of the Governor,

P. M. Abraham,
Commissioner and Special Secretary (Industries).

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Government had declared M/s. Kunnathara Textiles Limited, Modakkallur P. O., Koomully, Calicut District as a Relief Undertaking for a period of one year from 30-3-1982. As the circumstances warrant, Government have decided to extend the period of relief for one more year from 30-3-1983 and hence this Notification.

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